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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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9 CALIFORNIA PIPE RECYCLING,
10 INC.

11 Plaintiff,

12 vs.

13 SOUTHWEST HOLDINGS, INC., et al,

14 Defendants.
_____ /

CASE NO. CV F 08-0236 LJO SMS

ORDER TO SET STATUS CONFERENCE

Date: November 13, 2008

Time: 8 a.m.

Dept.: 4 (LJO)

15 This Court conducted an October 29, 2008 status conference. Plaintiff California Pipe
16 Recycling, Inc. ("Cal Pipe") appeared by telephone by counsel Kerry P. Zeiler, Ko & Zeiler. Defendants
17 Joseph Briers, Southwest Pipe Services, Inc. and S.W. Pipe Holdings, Inc. appeared by telephone by
18 counsel Jason Powers, Powers & Slay. After discussion with counsel, this Court:

- 19 1. ORDERS Cal Pipe, no later than November 5, 2008, to seek entry of default against
20 defendant Robbye Waldon, unless defendant Robbye Waldon has appeared in this action
21 or the parties have made meaningful progress to resolve this action;
- 22 2. SETS a further status conference for November 13, 2008 at 8 a.m. in Department 4 (LJO)
23 of this Court. The parties are encouraged to appear at the conference by telephone by
24 arranging a one-line conference call and adding the Court at (559) 499-5680. At the
25 conference, the parties shall be prepared to provide firm, concrete suggestions on how
26 to proceed with this action, including potential stay in favor of Texas litigation or
27 resolution of Cal Pipe's claims against remaining defendants; and
- 28 3. ORDERS counsel for Cal Pipe to serve a copy of this order on counsel for defendant

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Robbye Waldon.

IT IS SO ORDERED.

Dated: October 29, 2008

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE